

receiving a predicted start date for said at least one task;

receiving an actual start date for said at least one task;

receiving one of said at least two verbs that corresponds to said actual start date,

wherein said verb describes a reason for said actual start date;

comparing said predicted start date with said actual start date; [and]

computing churn of said at least one task;

computing a risk factor based at least in part on at least one of said computed churn and said received verb.--

#### REMARKS

The above proposed amendment is provided in response to the first office action dated September 8, 2000 (Paper No.5) as well as in response to the Examiner interview which was conducted on October 24, 2000. Corrections have also been made to the amendment in order to fully comply with the office action dated February 14, 2001 (Paper No. 8). Examiner Thompson is thanked for the courteously conducted and productive interview. Applicants would be pleased to receive an interview Summary Record that was promised at the conclusion of that interview. To date, a copy of that Record has not been received.

The undersigned also wishes to thank Examiner Thompson for his prompt assistance in forwarding pages of the cited references that were missing with applicants' copy of the above-noted first Office Action.

The drawings and claims were objected to for various informalities. In response, the specification has been amended where proposed in the Office Action to correct the obvious grammatical and/or typographical errors. With regard to the objection to Figure 7, Applicants wish to point out that identifying numerals 52 through 81 have already been referenced in the specification on page 17, with the exception of numeral 72, which after the amendment ties the term "progress" function on page 17, line 21 of the disclosure to that element. In addition, numeral "82" in the specification has now been replaced with the correct numeral "81" to properly identify the "end" function identified in Figure 8. Numeral "108" has also been previously identified on page 21, line 15 of the specification. Applicants submit that these amendment do not introduce new matter

Claims 5 and 6 have now been canceled, and claims 1, 7, 8, 9 and 10 have been amended. Support for the amendments can be found throughout the specification and in particular on page 16, lines 1-13. In addition, new claims 11-23 have been added and are directed to additional embodiments of the invention.

Specifically, Claims 16 and 21 are written in independent format and encompass broader embodiments of the invention. Claim 23 is similar to old claim 1 with additional limitations added concerning the risk factors. Support for the new dependent claims may be found in the specification, as follows: claim 11: p. 21, lines 12-13; claim 12: p. 18, lines 12-14; claim 13: p. 16, lines 16-17; claim 14: p. 16, lines 16-17, claim 15, page 12

lines 11-14 and p. 19, lines 7-10; claim 16: p. 12, lines 11-14; claim 18: p. 18, starting at line 25; p. 21, line 10; claim 19: p. 12, lines 11-14; claim 20: p. 16, lines 16-17; claim 21: p. 20, starting at line 23.

Claims 1-10 stand rejected under 35 U.S.C. §102(b) as being anticipated by Duncan, "A Guide to the Project Management Body of Knowledge." This rejection is respectfully traversed for the following reasons.

The present invention is directed to a method and apparatus that can be effectively utilized for modeling multiple tasks for multiple users. Applicants' system tracks to the estimated start and stop dates and/or the actual start and stop dates for a particular task in relation to a current tasking horizon window. These differences are classified as the "churn" values for the task.

The present system also allows one or more inputs or verbs to be associated with any churn measurement. These verbs describe the reason(s) for the churn. The verbs may then be analyzed to provide the system with individualized risk factors that can in turn be used to reduce churn and improve task efficiency.

Duncan, on other hand, relates on a very broad scale to managing an organization and its individuals. The author discusses inputs to organizational planning in highly generalized, theoretical terms. These inputs include such considerations as project interfacing, staffing requirements and constraints. Duncan provides little detail or guidance in actually designing and implementing a functional feedback system which can be used to decrease task inefficiency.

Duncan also fails to teach or suggest an apparatus and method for proactively creating a task horizon which represents a current window of time over a plurality of timeframes in which tasks are expected to be finished. The definition relied on in the Office Action does not address the claim language in amended claim 1, for example, that a task horizon is described as being a window of time (see page 11, lines 23-26). Further, there is no teaching or suggestion in Duncan of a system that calculates anything similar to a negative churn or a positive churn and that this calculation is related to the movement of dates (whether they be actual or estimated) relative to the tasking horizon.

Moreover, Duncan does not disclose a system in which a risk factor can be represent or be assigned to the task as a result of analyzing the reasons for the churn. Duncan also does not provide any guidance on ultimately reducing churn, and thereby improving efficiency using the novel planning system and method as applicants have described. Overall, Duncan fails to consider how to create negative or positive churn, how to calculate churn in the manner claimed by the applicants, how to associate a risk factor to a task and how a task-based risk factor is used to explain churn. While Duncan may broadly relate to various general ideas about management, the author does not suggest the detailed method and apparatus set forth in the proposed claims.

For at least the foregoing reasons, Duncan fails to anticipate or make obvious the limitations of Claim 1, as amended. As previously discussed, Duncan does not teach or suggest “a method for modeling tasks” or one in which “multiple tasks for multiple users” are modeled. Additionally, there is no teaching or suggestion in Duncan of “activating a current tasking horizon” which represents “one of a plurality of timeframes.” Also, there

is no suggestion or disclosure in Duncan regarding negative and positive churn or the way that these variable are calculated. Independent Claims 9 and 10 and new independent claims 17, 22 and 23 contains many of the same terms set forth in claim 1. For these and other reasons, these independent claims, as well as their dependent claims are allowable over Duncan and withdrawal of the rejection under 35 U.S.C. §102(b) is warranted.

The application is believed to be in condition for allowance, and prompt, favorable action thereon is earnestly solicited.

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Respectfully submitted,

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